

ORDINANCE NO. 2008-01

AN ORDINANCE, adding Section 6A.07.035 to the Wenatchee City Code prohibiting the possession of graffiti materials and providing a penalty therefor.

NOW THEREFORE, the City Council of the City of Wenatchee do ordain as follows:

SECTION I

The following section shall be added to the Wenatchee City Code:

“6A.07.035 Possession of Graffiti Materials Prohibited.

- (1) It shall be unlawful for any person to possess graffiti materials.
- (2) A person possesses graffiti materials when they possess any paint, marking pen, glass cutting tool, glass etching tool, materials, instruments, or other article adapted, designed or commonly used for committing or facilitating the commission of an offense involving damaging, defacing, or destroying public or private property, and they possess the item under circumstances evincing an intent to use or employ, or allow the same to be used or employed in the commission of such an offense, or under circumstances evincing an intent that some other person will use or employ the thing possessed in the commission of such offense.
- (3) Defacing as used in subsection (2) above shall include, but not be limited to, the writing, painting, inscribing, drawing, scratching or scribbling upon any wall or surface owned, operated or maintained by any property owner or the City unless the City or the property owner grants written permission for such writing, painting, inscribing, drawing, scratching or scribbling.
- (4) The unlawful possession of graffiti materials is a misdemeanor.”


SECTION II

This Ordinance shall take effect and be in force thirty (30) days from and after its passage, approval and publication as provided by law.

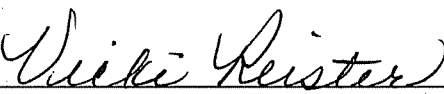
PASSED BY THE CITY COUNCIL OF THE CITY OF WENATCHEE this

13 day of March, 2008.

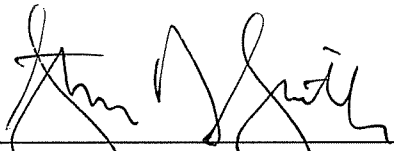
CITY OF WENATCHEE, a municipal corporation

By: 
DENNIS JOHNSON, Mayor

ATTEST:

By: 
VICKI REISTER, City Clerk

APPROVED:

By: 
STEVE D. SMITH, City Attorney